

Federal Communications Commission

WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.606(b)
Table of Allotments
Analog Television Broadcast Stations
(Gainesville, Florida)

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)
)
)
)

MM Docket No. 00-____
RM-____

To: Chief, Video Services Division

PETITION FOR RULE MAKING

Gainesville Channel 61 Associates, LLC ("GCA"), applicant for a new NTSC facility on Channel 61, Gainesville, Florida¹, hereby requests that the Commission initiate a rule making proceeding to substitute and allot NTSC Channel 29 for its proposed NTSC Channel 61 at Gainesville, Florida at reference coordinates 29-37-47 N. and 82-34-24 W.²

As set forth in the Engineering Statement, (attached hereto as Exhibit A), operation on Channel 29 appears permissible with an effective radiated power ("ERP") of up to 5000 kW,

¹KB Prime Media LLC ("KB Prime") and Television Capital Corporation of Gainesville ("TCCG") were the two competing applicants for this facility. KB Prime agreed to dismiss its application and join with TCCG to become 50% owners of GCA. The parties filed a Joint Request for Approval of Settlement Agreement with the Commission on January 30, 1998.

²On November 22, 1999, the Commission opened a filing window to allow for, among other things, applicants for new NTSC television stations on channels 60-69 to modify their proposals to specify a channel below 60, which was scheduled to close on March 17, 2000. See Public Notice, DA 99-2605 (released November 22, 1999). The Commission later extended the filing window until July 15, 2000. See Public Notice, DA 00-536 (released March 9, 2000). Thus, this rule making is timely filed.

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utilizing a directional antenna and an antenna height above average terrain (HAAT) of 278 meters. Thus, GCA requests the following change to the NTSC Table of Allotments:

	<u>Current</u>	<u>Proposed</u>
Gainesville, Florida	5, 20, 61	5, 20, 29

DISCUSSION

Pursuant to the Commission's Public Notice, DA 99-2605 (released November 22, 1999), an applicant for a new NTSC television station on channels 60-69 is eligible to modify its proposal and specify a new channel below channel 60. GCA's pending application proposes operation on Channel 61 and thus, it is eligible to file the instant rule making. Operation on Channel 29 would allow GCA to pursue its ongoing efforts to introduce a new local television service to the Gainesville community.

Additionally and in accordance with the Public Notice, GCA's proposed operation on Channel 29 complies with the Commission's minimum separation requirements specified in Section 73.610 and the DTV interference criterion specified in Section 73.623(c) of the Commission's rules. Moreover, such proposal does not adversely impact any low power television stations which filed for Class A eligibility.

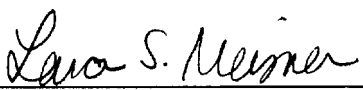
If the proposal set forth herein is adopted, GCA will amend its pending application to specify the facility requested herein and, if authorized, will construct and place the station into operation.

CONCLUSION

For the foregoing reasons, GCA respectfully requests that the Commission initiate the rule making requested herein and that it substitute NTSC Channel 29 for NTSC Channel 61 at Gainesville, Florida with an ERP of up to 5000 kW and an HAAT of 278 meters.

Respectfully submitted,

**GAINESVILLE CHANNEL 61
ASSOCIATES, LLC**

By: 

David D. Oxenford
Lara S. Meisner

Its Attorneys

SHAW PITTMAN
2300 N Street, N.W.
Washington, D.C. 20037-1128
(202) 663-8000

Dated: July 14, 2000

EXHIBIT A

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE NTSC ALLOTMENT TABLE
CHANNEL 29
GAINESVILLE, FLORIDA

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of Gainesville Channel 61 Associates, LLC in support of a Petition for Rule Making to modify the NTSC allotment at Gainesville, Florida by the proposed substitution of channel 29 for channel 61.

In the Public Notice, "Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for new Analog TV Stations", released on November 22, 1999, the FCC announced a filing window opportunity for applicants with certain pending application and allotment petitions for new analog TV stations. Specifically, applicants with pending applications for new full-service NTSC television stations on channels 60-69 are eligible for the filing window.

Currently, Gainesville Channel 61 Associates, LLC has a pending application (BPCT-960920LI) for operation on channel 61, and is therefore considered eligible for the filing window. The pending application proposes operation on TV channel 61 with a non-directional effective radiated power (ERP) of 5000 kilowatts and an HAAT of 609 meters.

On January 6, 1998, the Commission issued a Report and Order in ET Docket No. 97-157 wherein it

reallocated channels 60-69 (746-806 MHz) for public safety use and commercial fixed, mobile and broadcasting services. Since the proposed GCAL NTSC facility falls within this band of frequencies, it is proposing the substitution of channel 29 for the channel 61 NTSC allotment at Gainesville.

NTSC channel 29 can be substituted and allotted to Gainesville, Florida in compliance with the principle community coverage requirements of section 73.685(a) at the following reference coordinates, Latitude 29° 37' 47", Longitude 82° 34' 24". Operation on channel 29 from the proposed site appears permissible with a directional effective radiated power (ERP) of 5000 kilowatts and an HAAT of 278 meters. It is noted that a directional operation is proposed in order to provide the necessary protection toward co-channel DTV station WFTS-DT at Tampa, Florida.

The proposed transmitter site would meet the Commission's minimum separation requirements applicable to NTSC operation on channel 29 specified in Section 73.610. analog (NTSC) allotments. The proposed channel 29 operation complies with the FCC's interference criterion with respect to DTV allotments and authorized DTV facilities provided in Section 73.623(c). Therefore, it is proposed to modify the NTSC allotment at Gainesville with the following specifications:

State & City	NTSC Channel	NTSC ERP(kW)	Antenna HAAT(m)
FL, Gainesville	29	5000 (DA)	278

It is proposed to amend the NTSC Table of Allotments, Section 73.606(b) of the Commission's Rules, as follows:

<u>City</u>	<u>Present</u>	<u>Channel No.</u>	<u>Proposed</u>
Gainesville, Florida	5, 20, 61		5, 20, 29

It is proposed to allot UHF channel 29 at Latitude 29° 37' 47", Longitude 82° 34' 24". The channel 29 facility proposes operation with an antenna radiation center height above mean sea level (RCAMSL) of 305 meters, an antenna radiation center height above average terrain of 278 meters, and a directional antenna ERP of 5000 kilowatts. It is proposed to utilize an Andrew ATW-C1 "cardioid" directional antenna oriented at 30° true.

Figure 1 is a separation study toward other NTSC and DTV allotments based on a 161 kilometer "buffer". As indicated, the allotment reference point is fully-spaced to all other NTSC stations or allotments except toward a vacant domestic noncommercial NTSC channel 29 allotment at Ocala, Florida. The domestic noncommercial NTSC channel 29 allotment at Ocala is considered to be "deleted" pursuant to paragraph 112 of the 6th Report and Order in MM Docket No. 87-268 (FCC 97-115). With respect to DTV allotments, the separation requirements can be used as an indication of which stations have the potential of receiving interference from the proposed channel 29 NTSC operation.

Figure 2 is a polar graph depicting the proposed Andrew ATW-C1 "cardioid" directional pattern.

Figure 3 provides a summary of DTV interference and service for the proposed channel 29 NTSC allotment. Determination of DTV interference was made in accordance with the procedures adopted in the FCC's Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth

Report and Orders in MM Docket No. 87-268 and outlined in OET Bulletin No. 69.¹ Studies indicate that the proposed channel 29 operation would not cause prohibited interference to any DTV allotments, applications for authorizations and, therefore, the proposed operation is in full compliance with the FCC's interference criterion with respect to pertinent DTV allotments.


Figure 4 is a map which depicts the City Grade (80 dBu), Grade A (74 dBu), and Grade B (64 dBu) contours for the proposed channel 29 NTSC operation. The city limits of Gainesville based on the 1990 Census data, are also shown. As indicated, all of Gainesville is located within the predicted City Grade contour. Therefore, the proposed channel 29 NTSC allotment will comply with the FCC's city coverage requirements.

Figure 5 is a tabulation of all co-channel and adjacent channel LPTV stations which filed for Class A eligibility and which could be adversely impacted by the proposed channel 29 NTSC operation. As indicated on Figure 5, it is believed that the proposed operation on NTSC channel 29 at Gainesville will not adversely impact any of the tabulated co-channel or pertinent adjacent channel LPTV stations.

¹ The du Treil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. **A nominal grid size resolution of 1 km was employed.** An Alpha based processor computer system was employed. The results have been found to be in very close agreement with the results of the FCC implementation of OET Bulletin No. 69.

Conclusion

Channel 29 can be substituted for the current channel 61 NTSC allotment at Gainesville, in compliance with the FCC rules concerning NTSC allotment changes.



W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 34237

July 12, 2000

NTSC to NTSC Separation Study

Job Title : Proposed NTSC Ch. 29

Separation Buffer 161 km

Zone : 3

FCC TV DB Date : 07/11/00

Channel 29 (560-566 MHz)

Coordinates : 29-37-47 82-34-24

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
WABW-TV LIC	PELHAM GA		*14(-) III	5000 378	31-08-05 84-06-16	319.1 102.58	222.48	119.9 CLEAR
WCEU LIC	NEW SMYRNA BEACH FL		*15(+) III	0708 176	29-10-24 81-09-24	109.9 50.82	146.52	95.7 CLEAR
WBSG-TV LIC	BRUNSWICK GA		21(+) III	2630 311	31-08-22 81-56-15	19.8 146.78	178.18	31.4 CLEAR
WBSG-TV CP	BRUNSWICK GA		21(+) III	5000 600	31-08-22 81-56-15	19.8 146.78	178.18	31.4 CLEAR
WCLF LIC	CLEARWATER FL		22(o) III	5000 409	27-49-10 82-15-39	171.3 107.25	202.95	95.7 CLEAR
WMFE-TV LIC	ORLANDO FL		*24(-) III	1350 381	28-36-08 81-05-37	128.1 152.22	183.62	31.4 CLEAR
WJXX LIC	ORANGE PARK FL		25(-) III	5000 201	30-04-27 81-48-23	56.1 57.60	89.00	31.4 CLEAR
WTGL-TV APP	COCOA FL		25 III	0060 513	28-34-52 81-04-30	128.3 155.10	186.50	31.4 CLEAR
WNTD LIC	DAYTONA BEACH FL		26(o) III	2750 304	29-17-10 81-29-37	109.8 80.06	111.46	31.4 CLEAR
WNTD CP	DAYTONA BEACH FL		26(o) III	5000 304	29-17-10 81-29-37	109.8 80.06	111.46	31.4 CLEAR
WTXL-TV CP	TALLAHASSEE FL		27(+) III	2690 518	30-40-06 83-58-06	311.1 145.58	176.98	31.4 CLEAR
WTXL-TV LIC	TALLAHASSEE FL		27(+) III	1170 262	30-34-27 84-12-09	304.2 157.34	188.74	31.4 CLEAR
WFTS-TV LIC	TAMPA FL		28(o) III	2630 471	27-50-32 82-15-46	171.3 112.72	200.42	87.7 CLEAR
WFTS-TV CP	TAMPA FL		28(o) III	3980 471	27-50-32 82-15-46	171.3 112.72	200.42	87.7 CLEAR

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
ALLOC.	OCALA FL	-	*29(o) III	0	29-11-06 82-08-06	139.2 -263.88	65.12	329.0 SHORT¹
WDCO-TV LIC	COCHRAN GA	BLET-900608KE	*29(+) II	5000 350	DA 32-28-11 83-15-17	348.6 40.72	321.52	280.8 CLEAR
WFLX LIC	WEST PALM BEACH FL	BLCT-860514KH	29(+) III	5000 457	DA 26-34-37 80-14-32	145.5 79.56	408.56	329.0 CLEAR
WFLX APP	WEST PALM BEACH FL	BPCT-90910AAA	29(+) III	5000 458	26-34-37 80-14-32	145.5 79.56	408.56	329.0 CLEAR
WAWS LIC	JACKSONVILLE FL	BLCT-810210KF	30(+) III	2820 302	DA 30-16-53 81-34-15	52.9 33.07	120.77	87.7 CLEAR
WAWS CP	JACKSONVILLE FL	BPCT-960711LB	30(+) III	5000 304	DA 30-16-53 81-34-15	52.9 33.07	120.77	87.7 CLEAR
ALLOC.	MADISON FL	-	*36(-) III	0	30-28-05 83-24-43	319.3 27.50	123.20	95.7 CLEAR
WBSF LIC	MELBOURNE FL	BLCT-980422KG	43(+) III	2290 303	28-18-22 80-54-45	131.9 122.77	218.47	95.7 CLEAR
WGVP LIC	VALDOSTA GA	BLCT-951107KI	44(-) III	1700 277	DA 31-10-18 83-21-57	336.3 67.24	187.14	119.9 CLEAR
WTOG LIC	ST. PETERSBURG FL	BLCT-990415KI	44(+) III	5000 454	27-49-46 82-15-59	171.4 81.87	201.77	119.9 CLEAR

** End of TV Separation Study for Channel 29 **

¹ The channel 29 vacant allotment at Ocala, FL is not a consideration as the allotment will be eliminated pursuant to MM Docket NO. 870268.

NTSC to DTV Separation Study

Job Title : Proposed NTSC Ch. 29
Zone : 3
Channel 29 (560-566 MHz)

Separation Buffer 161 km
FCC DTV DB Date: 12/18/98
Coordinates : 29-37-47 82-34-24

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
DWGFL DTVALT	HIGH SPRINGS FL		28 III	103.9 278	29-37-47 82-34-24	0.0	0.00 12.00	12.0/106.0 CLOSE
WGFL APP	HIGH SPRINGS FL	BPCDT-980910KE	28 III	0200 259	29-37-46 82-34-25	220.1	0.05 11.95	12.0/106.0 CLOSE
DWFTS DTVALT	TAMPA FL		29 III	101 471	27-50-32 82-15-46	171.3	200.41 -44.19	244.6 SHORT²
WFTS-DT APP	TAMPA FL	BMPCDT-91230ABA	29 III	0500 476	27-50-32 82-15-45	171.3	200.43 -44.17	244.6 SHORT²
WFTS-DT CP	TAMPA FL	BPCDT-980720KG	29 III	0100 465	27-50-32 82-15-45	171.3	200.43 -44.17	244.6 SHORT²
DWPGX DTVALT	PANAMA CITY FL		29 III	50 228	30-23-42 85-32-02	287.4	297.95 53.35	244.6 CLEAR
WPGX APP	PANAMA CITY FL	BPCDT-00426AAK	29 III	1000 DA 225	30-23-42 85-32-02	287.4	297.95 53.35	244.6 CLEAR
DWBCC DTVALT	COCOA FL		30 III	50 287	28-18-26 80-54-48	131.9	218.32 112.32	12.0/106.0 CLEAR
WBCC APP	COCOA FL	BPEDT-00427ACN	30 III	0200 470	28-35-12 81-04-58	128.3	185.52 79.52	12.0/106.0 CLEAR
DWFXL DTVALT	ALBANY GA		30 III	50 302	31-19-52 83-51-43	327.2	225.57 119.57	12.0/106.0 CLEAR
WFXL APP	ALBANY GA	BPCDT-00427ABX	30 III	1000 302	31-19-52 83-51-43	327.2	225.57 119.57	12.0/106.0 CLEAR

** End of DTV Separation Study for Channel 29 **

² The separation distances are only applicable to NTSC stations, however they can be used as an indication of which DTV stations have the potential to receive interference. With respect to DTV allotments or proposed DTV facilities, an interference analysis was prepared in accordance with the procedures adopted in the FCC's Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket No. 87-268 and outlined in OET Bulletin No. 69. Studies indicated that the proposed channel 29 operation would not cause prohibited interference to any DTV allotments. See Technical Narrative and Figure 2.



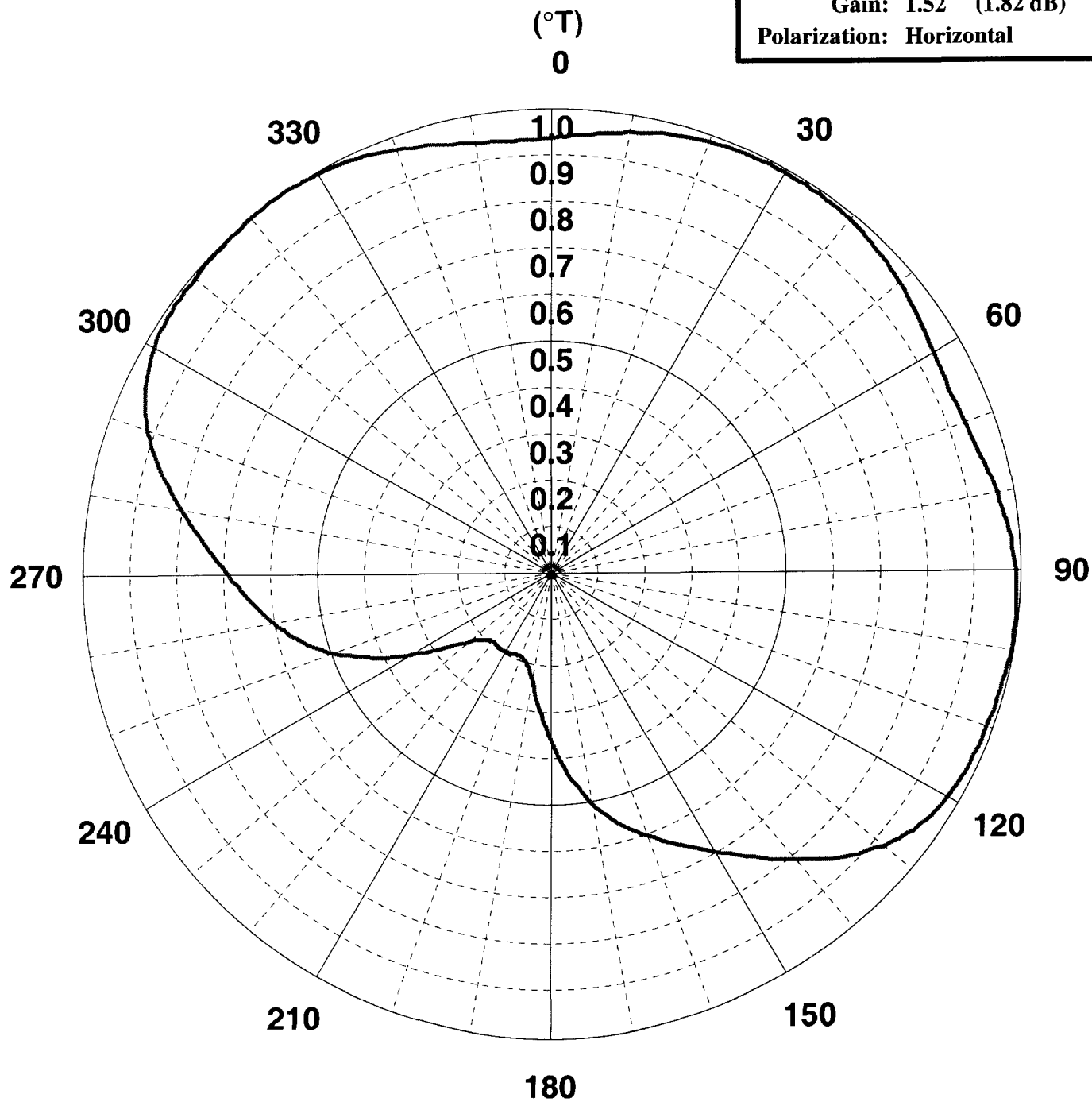
ANDREW

Channel: 29

Type: ATW-C1

Gain: 1.52 (1.82 dB)

Polarization: Horizontal



ANDREW CORPORATION
10500 W. 153rd Street
Orland Park, Illinois U.S.A. 60462

Company:
Site:
Proposal Number:

Date: 7/12/00
Author:

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE NTSC ALLOTMENT TABLE
NTSC CHANNEL 29
GAINESVILLE, FLORIDA

Tabulation of Horizontal Plane Relative Field Pattern

Azimuth (Degrees True)	Relative Field	Azimuth (Degrees True)	Relative Field
0	0.937	180	0.363
10	0.963	190	0.235
20	0.985	200	0.190
30	0.992	210	0.195
40	0.987	220	0.193
50	0.966	230	0.228
60	0.938	240	0.348
70	0.935	250	0.495
80	0.963	260	0.602
90	0.989	270	0.691
100	0.994	280	0.803
110	0.987	290	0.917
120	0.974	300	0.979
130	0.921	310	0.993
140	0.811	320	0.999
150	0.695	330	0.996
160	0.604	340	0.972
170	0.504	350	0.941

Extra Bearing(s)			
200	0.190		
220	0.190		
325	1.000		

Figure 3

TECHNICAL EXHIBIT
 PREPARED IN SUPPORT OF
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 MODIFY THE NTSC ALLOTMENT TABLE
 NTSC CHANNEL 29
 GAINESVILLE, FLORIDA

Interference and Service Summary

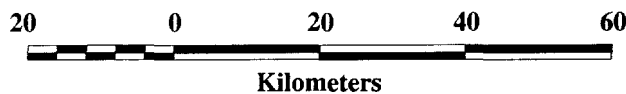
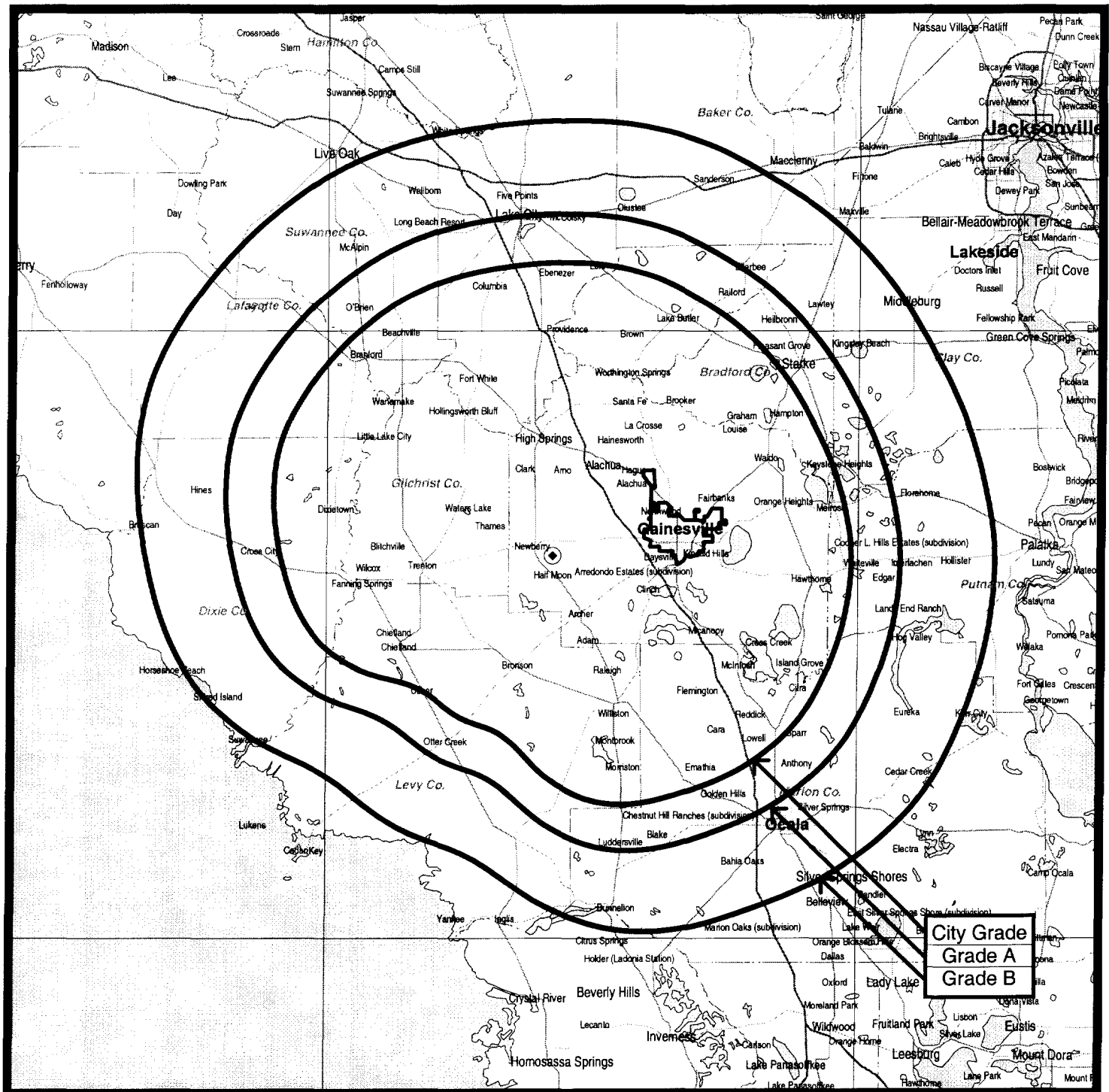
I. Interference Caused

Protected DTV Station	FCC Service Population	Interference Population
DWFTS, DTV Ch. 29 Tampa, FL (Alt.)	3,079,000	1,333 (0.04%)
WFTS-DT, DTV Ch. 29 Tampa, FL (CP)	3,069,537	1,182 (0.04%)
WFTS-DT, DTV Ch. 29 Tampa, FL (App.)	3,418,454	16,363 (0.48%)

II. Service

	Population
Grade B Contour	494,047

Figure 4



PREDICTED COVERAGE CONTOURS

PROPOSED NEW(TV)
GAINESVILLE, FLORIDA

CH 29 5000 KW (DA-MAX) 278 M

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Potentially Impacted Class A LPTV Stations

Call Status	City State	FCC File No.	Channel Zone	ERP(kw) HAAT(m)	Latitude Longitude	Bearing deg-True	Distance (km) (mile)
WJXE-L LIC	GAINESVILLE FL	BLTTL -19961025	14(+) 16 164 max.	DA	29-44-22 82-23-09	55.99	21.85 13.58 ¹
W29CL CP	ORLANDO FL	BPTTL -19981013	29(-) 5 III 142 max.	DA	28-32-25 81-22-46	135.95	167.60 104.17 ²
WBXG-L LIC	GAINESVILLE FL	BLTTL -19900328	31(+) 25.5 III 121 max.		29-38-36 82-25-09	84.16	15.00 9.33 ³
W33BL LIC	CHIEFLAND FL	BLTTL -19960415	33 III 59 max.	DA	29-28-12 82-48-20	231.73	28.64 17.80 ³

¹ WJXE-LP has a construction permit (BPTTL-JG0601QD) to change from channel 14 to channel 43 which will eliminate any potential for adverse impact.

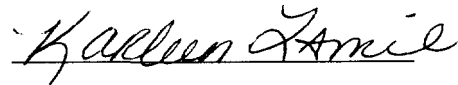
² W29CL was only on the initial Class A list (FCC Public Notice dated February 8, 2000), not on the latest Class A list (FCC Public Notice dated June 2, 2000). Therefore, it is not believed that W29CL requires protection from the herein proposed operation.

³ No adverse impact based on OET Bulletin No. 69.

CERTIFICATE OF SERVICE

I, Karleen Lamie, a secretary in the law firm of Shaw Pittman, hereby certify that on this 14th day of July, 2000, I caused to be served by hand delivery a copy of the foregoing **"Petition for Rule Making,"** on the following:

John A. Karousos, Chief
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
445 12th Street, SW
3-A320
Washington, DC 20554

Handwritten signature of Karleen Lamie in cursive script.